

Declaration for Patent Application

Docket Number: 1136.0040000

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled Vectors for Tissue-Specific Replication and Gene Expression, the specification of which is attached hereto unless the following box is checked:

- ☒ was filed on November 19, 1997;
as United States Application Number 08/974,391; and
was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application, which designated at least one country other than the United States listed below, and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

| _____ | _____ | _____ | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|-------------------|-----------|------------------------|------------------------------|-----------------------------|
| (Application No.) | (Country) | (Day/Month/Year Filed) | | |

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

| _____ | _____ |
|-------------------|---------------|
| (Application No.) | (Filing Date) |

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56 that became available between the filing date of the prior application and the national or PCT international filing date of this application.

| | | |
|-----------------------|--------------------------|---|
| <u>08/348,258</u> | <u>November 28, 1994</u> | <u>abandoned</u> |
| (Application No.) | (Filing Date) | (Status - patented, pending, abandoned) |
| <u>PCT/US95/15455</u> | <u>November 28, 1995</u> | <u>entered national phase</u> |
| (Application No.) | (Filing Date) | (Status - patented, pending, abandoned) |
| <u>08/487,992</u> | <u>June 7, 1995</u> | <u>pending</u> |
| (Application No.) | (Filing Date) | (Status - patented, pending, abandoned) |
| <u>08/849,117</u> | <u>May 28, 1997</u> | <u>pending</u> |
| (Application No.) | (Filing Date) | (Status - patented, pending, abandoned) |

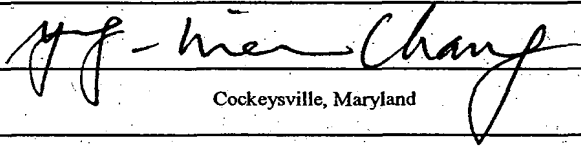
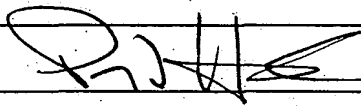
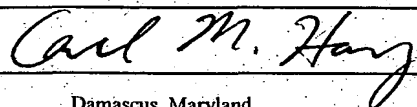
Send Correspondence to:

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934

Direct Telephone Calls to:

(202) 371-2600

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | | |
|-------------------------------------|---|---------|------|
| Full name of sole or first inventor | Yung-Nien Chang | | |
| Inventor's signature |  | 5/15/98 | Date |
| Residence | Cockeysville, Maryland | | |
| Citizenship | USA | | |
| Post Office Address | 11 Watkins Glen Court Cockeysville, MD 21030 | | |
| Full name of second inventor | Paul L. Hallenbeck | | |
| Second Inventor's signature |  | 5/15/98 | Date |
| Residence | Gaithersburg, Maryland | | |
| Citizenship | USA | | |
| Post Office Address | 7461 Rosewood Manor Lane Gaithersburg, MD 20882 | | |
| Full name of third inventor | Carl M. Hay | | |
| Third inventor's signature |  | 5/15/98 | Date |
| Residence | Damascus, Maryland | | |
| Citizenship | USA | | |
| Post Office Address | 28301 Honeysuckle Drive Damascus, MD 20872 | | |

| | |
|------------------------------|--|
| Full name of fourth inventor | David A. Stewart |
| Fourth inventor's signature | <i>David A. Stewart</i> Date May 15, 1998 |
| Residence | Eldersburg, Maryland |
| Citizenship | USA |
| Post Office Address | 6023 Kennard Court Eldersburg, MD 21784 |

P:\USERS\BARI\DA11360040000\DECLARA.WPD
SKGP Rev. 4/3/96

(Supply similar information and signature for subsequent joint inventors, if any)

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents, Crystal Plaza 2 - 8th Floor, 2011 South Clark Place, Arlington, Virginia 22202.

Marcia Rossell
Type or Print Name

Marcia Rossell
Signature

May 16, 2000
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|---|---|------------------------|
| Application of: Chang, et al. |) | Group: 1633 |
| |) | |
| Application No.: 08/974,391 |) | Examiner: Nguyen, D |
| |) | |
| Filing Date: November 19, 1997 |) | Confirmation No.: 8172 |
| |) | |
| For: VECTORS FOR TISSUE- SPECIFIC REPLICATION AND GENE EXPRESSION |) | |

Commissioner of Patents
Crystal Plaza 2 - 8th Floor
2011 South Clark Place
Arlington, Virginia 22202

**STATEMENT UNDER 37 CFR §3.73(b),
REVOCATION OF POWER OF ATTORNEY/
POWER OF ATTORNEY AND CHANGE OF ADDRESS**

Sir:

Genetic Therapy, Inc. is the Assignee of the entire right, title, and interest in the above-captioned application. (The Assignment is recorded at Reel 9198 and Frame 0170 on May 18, 1998. A copy of the Assignment is attached herewith.)

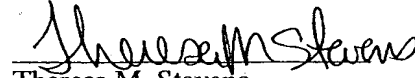
With respect to this application, the Assignee hereby revokes all previous Powers of Attorney and grants Power of Attorney to all registered attorneys and agents associated with Customer No. 001095.

Please direct all further correspondence in connection with this application to the address associated with Customer No. 001095, which currently is as follows:

Tom Hoxie
Novartis Corporation
564 Morris Avenue
Summit, NJ 07901-1027.

The undersigned represents that she is empowered to act on behalf of the Assignee in this matter.

Respectfully submitted,



Theresa M. Stevens
Executive Director, Business
Development & Licensing
Genetic Therapy, Inc.

Date: May 15, 2002



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

JULY 31, 1998

STERNE, KESSLER, GOLDSTEIN ET AL
BRIAN J. DEL BUONO
1100 NEW YORK AVE., N.W.
SUITE 600
WASHINGTON, D.C. 20005-3934

PTAS
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AUG - 4 1998

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STERNE, KESSLER, GOLDSTEIN & FOX PLLC

RWE
BJD

TSI 8/10

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/18/1998

REEL/FRAME: 9198/0170
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

CHANG, YUNG-NIEN

DOC DATE: 05/15/1998

ASSIGNOR:

HALLENBECK, PAUL L.

DOC DATE: 05/15/1998

ASSIGNOR:

HAY, CARL M.

DOC DATE: 05/15/1998

ASSIGNOR:

STEWART, DAVID A.

DOC DATE: 05/15/1998

ASSIGNEE:

GENETIC THERAPY, INC.
938 CLOPPER ROAD
GAITHERSBURG, MARYLAND 20878

SERIAL NUMBER: 08974391
PATENT NUMBER:

FILING DATE: 11/19/1997
ISSUE DATE:

EDLEY PYNE, PARALEGAL
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

06-02-1998

Form PTO-1595
6-93

100725882

T

U.S. Department of Commerce
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):
Yung-Nien CHANG, Paul L. HALLENBECK,
Carl M. HAY, David A. STEWART

2. Name and address of receiving party(ies):

Name: Genetic Therapy, Inc.

Street Address: 938 Clopper Road

City: Gaithersburg State: Maryland Zip Code: 20878

Country: United States of America

Additional name(s) of conveying party(ies) attached? ☐ yes ☒ no

3. Nature of Conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Additional name(s) & address(es) attached? ☐ yes ☒ no

Execution Date(s): May-15, 1998, as-to-all-four

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is

A. Patent Application No(s). 08/974,391

B. Patent No(s).

Additional numbers attached? ☐ yes ☒ no

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.

Internal Address: c/o

Street Address: 1100 New York Ave., N.W.
Suite 600

City: Washington State: D.C. Zip Code: 20005-3934

6. Total number of applications and patents involved

1

7. Total fee (37 C.F.R. § 3.41).....\$ 40.00

☒ Enclosed☐ Authorized to be charged to Deposit Account

8. Deposit Account Number: 19-0036

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Brian J. Del Buono
 Name of Person Signing
 Registration No. P-42,473

Signature

Date

May 18, 1998

Total number of pages including cover sheet, attachments and document 3

OMB NO. 0651-0011 (exp. 4/94)

Mail documents to be recorded with required cover sheet information to:
 Commissioner of Patents and Trademarks, Box Assignments
 Washington, D.C. 20231

MRD 5-18-98

ASSIGNMENT

In consideration of the sum of One Dollar (\$1.00) or equivalent and other good and valuable consideration paid to each of the undersigned: Yung-Nien CHANG, Paul L. HALLENBECK, Carl M. HAY and David A. STEWART, the undersigned hereby sell(s) and assign(s) to Genetic Therapy, Inc. (the Assignee) his/her entire right, title and interest

check applicable box(es) ☒ for the United States of America (as defined in 35 U.S.C. § 100),
☒ and throughout the world,

in the invention known as Vectors for Tissue-Specific Replication and Gene Expression

for which application(s) for patent in the United States of America has (have) been executed by the undersigned on May 15, 1998 (also known as United States Application No. 08/974,391, filed November 19, 1997), in any and all applications thereon, in any and all Letters Patent(s) therefor, and in any and all reissues, extensions, renewals, reexaminations of such applications or Letters Patent(s) and divisional and continuation applications thereof, to the full end of the term or terms for which such Letters Patent(s) issue, such entire right, title and interest to be held and enjoyed by the above-named Assignee to the same extent as they would have been held and enjoyed by the undersigned had this assignment and sale not been made.

The undersigned agree(s) to execute all papers necessary in connection with the application(s) and any continuing (continuation, divisional, or continuation-in-part), reissue, reexamination or corresponding application(s) thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

The undersigned agree(s) to execute all papers necessary in connection with any interference that may be declared concerning the application(s) or any continuing (continuation, divisional, or continuation-in-part), reissue or reexamination application thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

The undersigned hereby represents that the undersigned has full right to convey the entire interest herein assigned, and that the undersigned has not executed, and will not execute, any agreement in conflict therewith.

The undersigned hereby grant(s) Robert Greene Sterne, Esquire, Registration No. 28,912, Edward J. Kessler, Esquire, Registration No. 25,688, Jorge A. Goldstein, Esquire, Registration No. 29,021, Samuel L. Fox, Esquire, Registration No. 30,353, David K.S. Cornwell, Esquire, Registration No. 31,944, Robert W. Esmond, Esquire, Registration No. 32,893, Tracy-Gene G. Durkin, Esquire, Registration No. 32,831, Michele A. Cimbala, Esquire, Registration No. 33,851, Michael B. Ray, Esquire, Registration No. 33,997, Robert E. Sokohl, Esquire, Registration No. 36,013, Eric K. Steffe, Registration No. 36,688, and Michael Q. Lee, Registration No. 35,239, of STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C., 1100 New York Avenue, N.W., Suite 600, Washington, D.C. 20005-3934, power to insert in this assignment any further identification that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN WITNESS WHEREOF, executed by the undersigned on the date(s) opposite their name(s).

| | |
|---------------------------|--|
| Date: <u>5/15/98</u> | Signature of Inventor: <u>Yung-Nien Chang</u> |
| Date: <u>5/15/98</u> | Signature of Inventor: <u>Paul L. HALLENBECK</u> |
| Date: <u>5-15-98</u> | Signature of Inventor: <u>Carl M. Hay</u> |
| Date: <u>May 15, 1998</u> | Signature of Inventor: <u>David A. Stewart</u> |
| Date: _____ | Signature of Inventor: _____ |
| Date: _____ | Signature of Inventor: _____ |
| Date: _____ | Signature of Inventor: _____ |

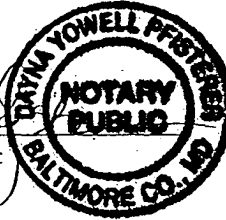
State of Maryland)

County of Montgomery)

ss:

Before me this 15th day of May, 1998, personally appeared the above-named individual(s), to me known to be the person(s) who are described in and who executed the foregoing assignment instrument and acknowledged to me that they executed the same of their own free will for the purpose therein expressed.

Debra Yowell
Notary Public



DAYNA YOWELL REGISTERED
Notary Public, State of Maryland
County of Montgomery
My Commission Expires February 8, 2002